

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

BRIAN HOWARD ELLIOTT,

Petitioner,

v.

ELDON VAIL,

Respondent.

CASE NO. C11-5377 BHS

ORDER GRANTING MOTION
FOR EXTENSION OF TIME

This matter comes before the Court on Petitioner Brian Elliott's second motion for an extension of time (Dkt. 49).

On December 12, 2012, the Court granted Petitioner's first motion for an extension of time to respond to the Report and Recommendation ("R&R") that was noted for November 30, 2012. Dkt. 50. On January 30, 2013, Petitioner filed a second motion for an extension of time (Dkt. 51), and the Government did not oppose the motion. The Court finds that Petitioner has shown sufficient cause for an extension and the Government will not be prejudiced. Therefore, the Court **GRANTS** the motion and the Clerk shall renote the R&R for consideration on the Court's March 29, 2013 calendar.

1 Any objections shall be filed March 22, 2013 and any response shall be filed March 29,
2 2013.

3 **IT IS SO ORDERED.**

4 Dated this 26th day of February, 2013.

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7 BENJAMIN H. SETTLE
8 United States District Judge
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